

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
WESTERN DIVISION**

**RONALD PENMAN and ADELANTE
OIL & GAS, LLC, on behalf of themselves
and a Class of similarly situated royalty
owners,**

Plaintiffs,

v.

HESS BAKKEN INVESTMENTS II, LLC,

Defendant.

**SANDY RIVER RESOURCES, LLC and
SANDY RIVER ENERGY, LLC on behalf
of themselves and classes of similarly
situated royalty owners,**

Plaintiffs,

v.

HESS BAKKEN INVESTMENTS II, LLC,

Defendant.

**Case No. 22-cv-00097-DLH-CRH
(Lead Case)**

Case No. 22-cv-00108-DLH-CRH

JOINT STIPULATION PURSUANT TO FEDERAL RULE OF EVIDENCE 502(d)

Plaintiffs Ronald Penman, Adelante Oil & Gas, LLC, Sandy River Resources, LLC, and Sandy River Energy, LLC (“Plaintiffs”), and Defendant Hess Bakken Investments II, LLC (“Hess”) jointly stipulate and agree as follows, pursuant to Federal Rule of Evidence 502(d):

1. Plaintiffs’ Request for Production No. 17 is a request for Division Orders related to oil and gas produced from Hess Wells and subject to the Plaintiffs’ royalty and overriding royalty interests from May 2012 through the present. These Division Orders are maintained along with records that may include material that contains communications with counsel regarding ownership interests. Hess maintains that the documents are privileged.

2. However, in an effort to avoid a costly privilege review and to ensure the transparent disclosure of documents in discovery, Hess is willing to share the documents with Plaintiffs. Plaintiffs agree that by sharing the disputed documents in this manner, Hess is not waiving any privilege or protection for these or any other documents.
3. Pursuant to Federal Rule of Evidence 502(d), the parties agree that the sharing of these privileged documents pursuant to this Joint Stipulation does not waive any privilege or protection in this litigation or any other proceeding. Nor does sharing these privileged documents compel Hess to share any other documents related to the subject matter in this or any other litigation. Rather, Hess's election to produce the privileged documents is expressly subject to and covered by the entry of this Joint Stipulation and is solely for purposes of attempting to resolve a dispute concerning the withholding of these documents.
4. This Joint Stipulation shall be interpreted to provide the maximum protection afforded by Federal Rule of Evidence 502(d).
5. The parties hereby respectfully request that the Court enter an Order adopting this Joint Stipulation.

Dated: January 17, 2025

/s/ Taylor P. Foye

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Dated: January 17, 2025

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